

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
MAURISA CORAN, R.D.H.,	:	LS0901211DEN
RESPONDENT.	:	

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Division of Enforcement Case No. 07 DEN 107


The State of Wisconsin, Dentistry Examining Board, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Dentistry Examining Board.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 3 day of March, 2010.

  
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Member  
Dentistry Examining Board

STATE OF WISCONSIN  
BEFORE THE DENTISTRY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST  
**MAURISA CORAN, R.D.H.,**  
RESPONDENT.

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**PROPOSED DECISION  
AND ORDER**  
Case No. LS-0901211-DEN

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DOE case no. 07 DEN 107

**PARTIES**

The parties in this matter under section 227.44 of the Statutes and section RL 2.037 of the Wisconsin Administrative Code, and for purposes of review under sec. 227.53, Stats. are:

**Complainant:**

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Ave.  
Madison, WI 53708-8935

**Respondent:**

Maurisa Coran, R.D.H.  
W8484 CTH S  
Hortonville, WI 54944

**Disciplinary Authority:**

Dentistry Examining Board  
1400 East Washington Ave.  
Madison, WI 53703

**PROCEDURAL HISTORY**

A. On January 21, 2009, Attorney James E. Polewski of the Department's Division of Enforcement (DOE) filed a Complaint against the respondent, Maurisa Coran. On the same date, DOE filed a Notice of Hearing for March 17, 2009 and mailed a copy to Ms. Coran at the address above. Ms. Coran received and signed the certified mail receipt for the Notice of Hearing and Complaint on January 22, 2009.

B. Ms. Coran did not file an Answer to the Complaint.

C. The hearing was held as scheduled on March 17, 2009. Mr. Polewski appeared on behalf of the Department. Ms. Coran did not appear. This Proposed Decision is based on the evidence presented at the hearing.

### **FINDINGS OF FACT**

The evidence presented at the hearing was in the form of an affidavit from DOE Investigator Tara Albeyll. Because the Respondent, Maurisa Coran, did not appear at the hearing to contest the matter, the statements in Investigator Albeyll's affidavit are all accepted as fact. The affidavit is repeated verbatim below as Findings of Fact 1 through 7. The exhibits referred to in the affidavit became part of the evidentiary record.

1. She [Tara Albeyll] is an investigator employed by the Division of Enforcement, Department of Regulation and Licensing, and that she was assigned to investigate allegations related to the conduct of Maurisa Coran, R.D.H, in file 07 DEN 107.

2. On March 31, 2008, she sent a letter [to] Respondent Maurisa L. Coran, R.D.H., asking for her response to the allegation that Ms. Coran had falsified her dental hygiene license renewal application, and asking for proof that Respondent had completed the required continuing education. (Exhibit # 1)

3. On April 16, 2008, she received a letter dated April 14, 2008, from Respondent Maurisa L. Coran, R.D.H. The letter did not include any evidence that Respondent had complied with the continuing education requirement for renewal of her dental hygiene license, but did state that Respondent was unaware of the requirement until she received the March 31, 2008, letter that is Exhibit #1. (Exhibit # 2)

4. On June 11, 2008, she sent a letter to Respondent Coran requesting that she provide verification that she had completed her continuing education as she had indicated when she renewed her license online. (Exhibit # 3)

5. On July 8, 2008, she re-sent the June 11, 2008, letter to Respondent Coran via Certified Mail. (Exhibit # 4)

6. On July 12, 2008, Respondent Maurisa Coran signed the Certified Mail Return Receipt indicating that she had received the letter. Certified Mail Return Receipt # 7160 3901 9845 5986 9220 (Exhibit # 5)

7. She has received no communication of any kind from Respondent Maurisa Coran since she received the letter that is Exhibit #2.

8. The Respondent, Maurisa Coran, failed to respond to a request from the Division of Enforcement, acting on behalf of the Board, for information related to her completion of continuing education.

9. Although there is no direct evidence in the record that Maurisa Coran holds a license as a Dental Hygienist issued by the Wisconsin Dentistry Examining Board, the following evidence creates a reasonable inference of that fact:

- a. In exhibit 1, the letter dated March 31, 2008 to Ms. Coran, Investigator Albedyll referred to “the renewal of your dental hygienist license”.
- b. In exhibit 2, the letter dated April 14, 2008 to Investigator Albedyll, Ms. Coran stated “I haven’t practiced dental hygiene since my license was renewed.”.
- c. In exhibits 3 and 4, the letters dated June 11, 2008 and July 8, 2008 to Ms. Coran, Investigator Albedyll referred to “the renewal of your dental hygienist license” and stated “your license will be suspended”.

### **CONCLUSIONS OF LAW**

I. The Dentistry Examining Board is the legal authority responsible for issuing and controlling licenses for Dental Hygienists, under sec. 447.03 (2), Stats., and it has subject-matter jurisdiction over allegations of unprofessional conduct by a licensee, under sec. 447.07, Stats.

II. The Dentistry Examining Board has personal jurisdiction over the respondent, Maurisa Coran, based on her holding a license as a Dental Hygienist, and based on notice under sec. 801.04 (2), Stats.

III. Ms. Coran’s failure to respond to a request from the Division of Enforcement, acting on behalf of the Board, for information related to her completion of continuing education, is a violation of section DE 5.02 (25), Wis. Admin. Code.

### **ORDER**

THEREFORE, IT IS ORDERED that the license issued to Maurisa Coran to practice as a Dental Hygienist in Wisconsin is hereby **SUSPENDED** indefinitely until she petitions the Dental Examining Board and provides evidence satisfactory to the Board that she is in compliance with all rules related to the profession, including the completion of all required continuing education.

IT IS FURTHER ORDERED that Maurisa Coran pay the full costs of the Department’s investigation and prosecution of this matter, and that her license remain

suspended until she pays such costs. Payment shall be made by certified check or money order and sent to

Department Monitor  
Department of Regulation and Licensing,  
PO Box 8935, Madison, WI 53708-8935.  
Fax (608) 266-2264  
Tel. (608) 267-3817.

## **APPLICABLE RULE**

### **DE 5.02 Unprofessional conduct.**

Unprofessional conduct by a dentist or dental hygienist includes:

...

(25) After a request by the board, failing to cooperate in a timely manner with the board's investigation of complaints filed against the applicant or licensee. There is a rebuttable presumption that a licensee or applicant who takes longer than 30 days to respond to a request of the board has not acted in a timely manner under this subsection.

...

## **ANALYSIS**

This is a class 2 proceeding under the authority of ch. 227, Stats. and ch. RL 2, Wis. Admin. Code. The Department's Division of Enforcement filed a Complaint alleging professional misconduct by Maurisa Coran.

Finding of Fact 2 states that Investigator Albedyll wrote to Ms. Coran on March 31, 2008 asking her to respond to an allegation that she falsified her dental hygiene license renewal application by falsely stating that she had completed the required continuing education. Ms. Coran responded to Ms. Albedyll's letter, stating that she had been unaware of the continuing education requirement, which creates an inference that she had not complied with the requirement and that her renewal application contained a false statement. Ms. Coran did not respond to subsequent letters from Investigator Albedyll sent on June 11, 2008 and July 8, 2008.

Ms. Coran was not charged in this case with either failing to complete her required continuing education or making a false statement on her renewal application. She was charged with failing to cooperate in a timely manner with the Board's investigation. Based on the evidence presented at the hearing, that charge is proven, and discipline is appropriate.

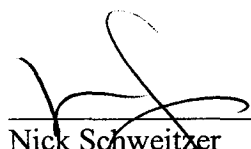
The attorney for the Division of Enforcement, James E. Polewski, requested either an indefinite suspension or revocation of Ms. Coran's license, stating that her failure to respond indicated "contempt" for the Board. If Ms. Coran had responded or participated, it is likely that a less serious remedy would be recommended. However, faced with her complete lack of

communication and cooperation since April of 2008, an indefinite suspension is appropriate. The recommended order would permit her to petition the Board at any time for reinstatement, but the burden would be on her at that time to satisfy the Board that she was in compliance with all rules.

Under sec. 440.22, Stats., when discipline is imposed on a credential-holder, the Department has the authority to impose all or part of the costs of a proceeding on the credential-holder. The Board is directed to exercise discretion in its imposition of costs by considering certain factors, including the number of counts charged, contested, and proven; the nature of the misconduct; the level of discipline; the respondent's cooperation with the disciplinary process; prior discipline; and other relevant circumstances. In this case, the misconduct was relatively minor, but the respondent's failure to cooperate requires a relatively serious discipline, and it is also ample justification for imposing the full costs of investigation and prosecution.

I need to state that I am not completely comfortable with Conclusion of Law II, the necessary statement that the Dental Examining Board has personal jurisdiction over Ms. Coran. This is because no direct evidence was presented that Ms. Coran holds a license as a Dental Hygienist in Wisconsin. The use of the initials "R.D.H." is not useful, as it does not signify a Dental Hygienist license issued by the Wisconsin Board. Nevertheless, the inference that Ms. Coran is licensed in Wisconsin is strong, including statements in the exhibits by Investigator Albedyll and by Ms. Coran herself. As a practical matter, rather than dismiss the case or require that the record be reopened -- with notice to Ms. Coran -- I have made what I consider to be a reasonable inference that the Board does have personal jurisdiction in this matter, and I recommend that the Board issue Findings of Fact and Conclusions of Law and impose discipline as stated above.

Dated and signed: April 23, 2009

  
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Nick Schweitzer  
Administrative Law Judge  
Department of Regulation and Licensing